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October 6, 1997

By Hand

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
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Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: PR Docket 92-257

Dear Mr. Caton:

Enclosed, on behalf of WJG MariTEL Corporation ("MariTEL"), are an original and four copies of its Reply Comments in the above-referenced proceeding.

Should there be any questions regarding this transmittal, please do not hesitate to contact the undersigned.

Cordially yours,



Russell H. Fox

Enclosures

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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OCT - 6 1997

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

Amendment of the
Commission's Rules Concerning
Maritime Communications

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PR Docket No. 92-257

To: The Commission

REPLY COMMENTS OF WJG MARITEL CORPORATION

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SUMMARY

WJG MariTEL Corporation (“MariTEL”) strongly supports the efforts of the Federal Communications Commission (“FCC” or “Commission”) to amend the rules governing the public coast service to allow providers to compete with other commercial mobile radio service (“CMRS”) providers. Allowing public coast station operators to offer technologically innovative services on a geographic-area basis will allow them to be commercially viable while still providing the public safety services critical to the boating public. Conversely, failure to adopt the FCC’s proposal and to license public coast station spectrum expeditiously will doom the service to failure, and result in the discontinuance of this commercial and public safety service.

Requiring that coast station channels be used on a primary basis for maritime purposes will ensure that these frequencies are used for the boating public. MariTEL disagrees with entities requesting that portions of the public coast station spectrum be designated for public safety use or that spectrum licensed to land mobile users, on a secondary basis, become primary after a passage of time.

MariTEL disagrees with commenters that assert that the Commission’s geographic licensing proposal is inconsistent with the Commission’s treatment of other services. To the contrary, licensing only one public coast service provider within each geographic area is the only competitively and financially viable way to ensure development of this service.

Public coast station licensees should be permitted to use their authorized bandwidth in a flexible manner, such as the use of 12.5 kHz offsets, to increase their system capacity, regardless of whether such use is currently specifically referenced in international regulations.

The Commission must not wait to determine if these offset channels will be employed in an Automatic Identification System (“AIS”), as proposed by the U.S. Coast Guard. Delay in the addition of the capacity that the use of the 12.5 kHz offsets will afford will hasten the demise of the public coast service.

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
Amendment of the)	
Commission's Rules Concerning)	PR Docket No. 92-257
Maritime Communications)	
)	

To: The Commission

REPLY COMMENTS OF WJG MARITEL CORPORATION

WJG MariTEL Corporation ("MariTEL"), by its attorneys, and pursuant to the provisions of Section 1.415 of the Rule and Regulations of the Federal Communications Commission ("FCC" or "Commission") hereby submits its Reply Comments in response to the initial comments of other parties filed in connection with the *Second Further Notice of Proposed Rule Making ("Second Further Notice")* in the above referenced proceeding.^{1/} In this proceeding, the Commission has proposed rules designed to promote operational, technical and regulatory flexibility in the maritime services.

I. INTRODUCTION

In its comments in this proceeding, MariTEL strongly supported the FCC's efforts to modernize the public coast service and allow it to compete with other forms of commercial mobile radio service ("CMRS"). MariTEL noted that without the changes envisioned by the Commission, provision of VHF public coast service will not be commercially viable.

^{1/} Because the deadline for the submission of Reply Comments was September 30, MariTEL has filed simultaneously herewith a Motion to Accept Late Filed Reply Comments.

Therefore, adoption of the proposed regulations is critical to the continued existence of VHF public coast service in the United States. As MariTEL noted in its Comments, VHF public coast station operators provide both commercial and public safety services. Failure to adopt the proposed rules, and to expeditiously license public coast station channels on a geographic area basis, will endanger the boating public.

Several other entities submitted comments in this proceeding. Some of those parties supported the FCC's efforts to relieve public coast station licensees of regulatory burdens. Others would have the Commission restrict the utility of the public coast service, thereby limiting its use to the boating public, and ultimately eliminating public coast station operators, who provide a valuable commercial and safety resource to boaters. Accordingly, in order to more fully address the issues raised by other parties, MariTEL is pleased to have this opportunity to submit the following Reply Comments.^{2/}

REPLY COMMENTS

A. Proposed Geographic Service Areas

(1) *Use of Geographic Area Licenses*

MariTEL fully supports the FCC's proposed auction of public coast station channels. Mobile Marine Radio, Inc. ("MMR") argues that the "underlying theme of the... [*Second Further Notice*] is to eliminate the distinctive maritime functional characteristics of the maritime public correspondence frequencies."^{3/} MariTEL, unlike MMR, does not believe that the FCC's efforts to "commercially exploit the VHF public correspondence frequency

^{2/} MariTEL only replies to the comments of parties that address issues related to the VHF public coast service.

^{3/} MMR comments at p. 3.

complement to its full capacity will necessarily undermine service to the maritime community.”^{4/} MariTEL agrees that the Commission must retain the maritime nature of the public coast service. Unlike MMR, MariTEL believes that without the “commercial exploitation” proposed by the Commission, public coast station operators will not be able to remain commercially viable. The FCC’s proposal, with the suggested modifications contained herein, and in MariTEL’s comments, will achieve the dual goals of retaining the character of the public coast service and making that service commercially viable.

Immediate auction of the spectrum on a geographic area basis, and the ability to reuse that spectrum throughout the area, will begin to provide coast station licensees with the capacity that MMR itself admits is required to provide a marketable service.^{5/} Without the geographic licensing scheme the FCC proposes, the coast service, will not be able to compete with other CMRS providers, and will ultimately disappear. MMR argues that the FCC should not auction the public coast station spectrum because those channels are unlikely to command significant prices at auction.^{6/} MariTEL believes that the auction mechanism must be employed, not because of the revenue raising potential, which is not the basis of the FCC’s auction authority, but because it is the most efficient and speedy means of licensing multiple channels on a geographic area basis. Without an immediate auction to license the spectrum in this manner, the continued existence of the public coast service will be in doubt. MariTEL disagrees with MMR that the FCC will convert public coast service to a “pure financial play.”^{7/} Instead, the proposed licensing mechanism will allow public coast station operators

^{4/} MMR comments at (i).

^{5/} MMR comments at p. 9.

^{6/} MMR comments at p. 5.

^{7/} MMR comments at p. 6.

with the ability to service the maritime community in a fashion that will permit their continued existence, allowing them to provide the commercial and public safety services they offer today.

Murray Cohen (“Cohen”) argues that the FCC’s proposal to license one public coast station licensee in each Coast Guard Region is inconsistent with the Commission’s treatment of other CMRS services. Cohen is incorrect. The Commission has imposed a 45 MHz “cap” on the aggregation of CMRS spectrum.^{8/} If that cap, and other service rules are observed, aggregation of CMRS spectrum is not prohibited. Aggregation of all of the public coast station channels falls well below the 45 MHz cap, and below the amount of spectrum typically licensed to other CMRS providers. For example, the minimum amount of spectrum licensed to a provider of Personal Communications Services is 10 MHz, and cellular radio service providers are authorized to use 25 MHz.

Cohen argues that it is not in the public interest nor consistent with FCC policy to license a single provider of CMRS service in a marketplace. Cohen is incorrect both with respect to FCC practice and the public interest. Cohen’s example of many specialized mobile radio service (“SMR”) licensees in a single market (if true) is a function of history, and not regulation. Indeed, in light of the upcoming auction of 800 MHz SMR spectrum, it is possible that there will be one SMR licensee per geographic area. Moreover, the potential control of all of the public coast station spectrum by one entity is in the public interest. The limitation on the aggregation of channels is one of the primary reasons that public coast service is imperiled today. The only way to ensure the viability of the public coast service is to enable

^{8/} 47 C.F.R. § 20.6 (1996).

one entity to have sufficient capacity to compete with other CMRS providers and offer a commercially sound service. Without the ability to use the full complement of public coast station channels, operators will not be financially viable.

Moreover, Cohen's argument ignores the FCC's finding that all CMRS is substitutable.^{2/} While MariTEL and other public coast licensees have special obligations that other CMRS providers do not, public coast station licensees are not the only CMRS providers in the marketplace. They do not today, and will not in the future, be in a position to control pricing and service conditions in the CMRS market.

Finally, the FCC has proposed to permit incumbent licensees to retain their authorizations. Accordingly, a particular service area may have multiple providers of coast service- existing public correspondence licensee(s) and the geographic area licensee.

(2) Size of Service Areas

In its Comments, MariTEL supported the FCC's plan to adopt U.S. Coast Guard Regions as geographic based licensing areas. UTC and the Industrial Telecommunications Association/Council of Independent Communications Suppliers ("ITA/CICS"), neither of which represents the maritime industry or the boating public, or understands the unique requirements of those industry segments, questions the FCC's proposals. UTC, in particular, proposes that the FCC adopt smaller geographic regions for licensing purposes, such as Basic Trading Areas ("BTAs").

MariTEL strongly disagrees with any proposal to reduce the size of the proposed geographic area licenses. Unlike, for example, private land mobile services (with which

^{2/} See *CMRS Third Report and Order*, 9 FCC Rcd 7988, ¶¶ 37-77 (1994).

ITA/CICS and UTC are most familiar), the public coast service is fundamentally a wide area service, in which boaters traverse an entire coastline or navigable waterway. Licensing public coast station spectrum on a BTA basis is inconsistent with the requirements of the boating public. While private land mobile communications needs tend to relate to a particular site or geographic area, coast station requirements cover locations both within and between population centers. In order for a public coast station operator to meet the needs of the boating public, it must be able to offer service throughout a boater's wide area of operation.

(3) Scope of Service Areas

UTC, ITA/CICS and MMR question the proposed scope of the geographic service areas. UTC and ITA/CICS complain that the Commission's plan will make VHF channels unavailable in "landlocked" areas for land mobile operations, as they are today. Conversely, MMR is concerned that the FCC's proposal will diminish the utility of the public coast service to boaters in favor of land mobile use.

MariTEL strongly supports the FCC's proposal, and believes that with slight modification, it avoids both of these problems. MariTEL concurs with MMR's concern that the public coast service channels continue to be used predominantly for the boating public. It disagrees with MMR's contention that the FCC's proposal would "forsake the maritime user in search of the high volume land mobile user base."^{10/} MariTEL has suggested stringent construction requirements to ensure that in coastal areas, public coast station licensees are required to provide maritime services on a primary basis, before they offer non-maritime services on a secondary basis. This proposal should address MMR's concerns. In addition,

^{10/} MMR comments at p. 4.

MariTEL supports the FCC's proposals to permit both partitioning and disaggregation as well as the provision of land based services on a secondary basis (once a licensee meets its aforementioned construction requirements serving maritime users). These latter capabilities will allow the coast station licensee to permit the full deployment of spectrum for non-maritime purposes in locations where they are not needed to meet maritime needs. That decision must be made by the coast station licensee, after evaluation of its requirement to meet the maritime needs of the boating public on or near the navigable waterways covered by its geographic area license. Only the maritime licensee can adequately determine the extent to which channels will be necessary to meet those requirements, and the extent to which it can use the frequencies itself or partition and/or disaggregate the spectrum to provide land mobile and other services.^{11/}

It is appropriate to license public coast station channels using broad geographic areas, rather than to define service areas based on coastlines and navigable waterways. As MMR itself notes (and as highlighted by the U.S. Coast Guard), eighteen of the top twenty five U.S. cities are located in coastal zones or on major waterways.^{12/} These navigable waterways include such "inland" areas as Chicago and St. Louis. Therefore, taking into consideration all of the nation's navigable waterways, VHF public coast station channels will be required for maritime use by a significant majority of the U.S. population, even if licensed based upon the regional basis proposed. In remaining locations, MariTEL does not object to the use of coast

^{11/} Ross Engineering Co. ("Ross") correctly points out that public coast station licensees are also subject to international regulations. Accordingly, public coast station licensee's abilities to meet those international requirements cannot be restricted by allowing other entities (besides the coast station licensee) to determine how and where public coast station channels will be employed.

^{12/} MMR Comments at p. 5. According to the U.S. Coast Guard, this figure is nineteen cites. (see Comments of U.S. Coast Guard at p. 2).

station channels for land mobile operations. However, it should be up to the coast station licensee to determine how such land/maritime sharing should occur.

B. Treatment of Incumbent Licensees

(1) Maritime Licensees

MariTEL recommended that the FCC provide additional benefits to incumbent maritime licensees in the auction process. Ross concurs with MariTEL's request.^{13/} MMR requests that the Commission permit incumbent maritime licensees to expand their coverage capability, both by increasing the geographic area they serve, and by securing the use of additional channels. MariTEL is sympathetic to this request. Accordingly, it requests that the Commission view favorably requests by incumbent maritime licensees to waive the current freeze on licensing of VHF coast stations to conditionally add channels or expand their coverage areas. The grant of such requests would be conditioned upon the incumbent licensee becoming the auction winner for the channel or the geographic area for which it seeks authorization. If it is not the auction winner, the licensee would be required to cease operations (absent an arrangement with the auction winner) within thirty (30) days of the time a license is issued to the auction winner. Such requests should necessarily be supported by a demonstration of need by the incumbent licensee. However, MariTEL continues to believe that an expeditious auction of VHF coast station spectrum is in the public interest, and will relieve coast station licensees of the restrictions of which MMR complains. Therefore, while MariTEL supports an incumbent maritime licensee's ability to better serve its customers

^{13/} Ross Comments at p. 3.

today, that ability should not delay or interfere with the ultimate auction of the VHF coast station spectrum.

(2) Land Mobile Licensees

In its Comments, MariTEL urged that the Commission provide greater co-channel protection to incumbent maritime licensees than to incumbent land mobile licensees. UTC and ITA/CICS accurately point out that the coverage capabilities of land mobile licensees are specified in Section 90.283 of the rules. However, neither that regulation nor other regulations in either Parts 80 or 90 specify the level of protection that land mobile licensees must be afforded from geographic area maritime licensees. In determining such a protected service area, the Commission should, as it has proposed, recognize that land mobile signals will likely travel less far than marine based communications. Accordingly, the FCC should afford more protection to incumbent maritime stations than to incumbent land mobile stations.

While MariTEL urges the Commission to remain flexible in evaluating requests to expand service from incumbent maritime licensees until the auction of maritime spectrum occurs, it should not exhibit the same flexibility toward incumbent land mobile licensees. As MariTEL has noted elsewhere, the public coast spectrum should be preserved, to the maximum extent possible, for maritime operations. The Commission should not, as UTC requests, lift the freeze on the licensing of coast station spectrum for land mobile use. Further

use of the spectrum by incumbent maritime licensees will not dilute that use, while additional use by land mobile licensees will.¹⁴

C. Public Safety Use of Coast Station Spectrum

In its Comments, MariTEL opposed the use of maritime spectrum exclusively for public safety purposes. The U.S. Coast Guard, which shares public safety obligations with state and local governments, agrees with MariTEL that the maritime public correspondence channels are inappropriate for use by public safety interoperability. MariTEL concurs with the Coast Guard's rationale, and does not reiterate the Coast Guard's arguments here. Nevertheless, as the Coast Guard concludes "[t]he U.S. Coast Guard and other maritime interests needing interoperability with land mobile public safety users would derive no benefit from the Commission's proposal."^{15/} Further evidence of the lack of interest in the use of this spectrum for public safety purposes is the submission of comments by only one entity- the state of Montana- requesting that the VHF public coast station spectrum be designated to meet public safety needs. While MariTEL is supportive of public safety communication requirements, it is apparent that there is no need to designate the use of maritime spectrum for public safety operations.

Despite its conclusion that maritime spectrum should not be designated for use by public safety entities, the U.S. Coast Guard contends that maritime channels be used as Universal Mutual Aid Channels. It cites the use of channels 6 and 15 as examples of how maritime channels can be employed for this purpose. MariTEL opposes this approach. These

^{14/} MariTEL had submitted an Emergency Request for Stay and Application Freeze ("Request"), asking that the FCC no longer accept applications for land mobile use of the VHF coast station spectrum. Upon further review of the *Second Further Notice*, MariTEL has withdrawn that Request simultaneously herewith.

^{15/} U.S. Coast Guard comments at p. 3.

channels and others, if available, should be returned for use by public coast station licensees. Public coast station licensees are disadvantaged by not having available the full complement of public correspondence channels that are designated internationally for that use.^{16/} There are 28 channels designated internationally for coast station use. Of those, only nine are allocated throughout the United States for public correspondence purposes. As MariTEL has noted elsewhere, in order to provide a robust maritime public correspondence service, competitive with other CMRS providers, public coast station licensees must have access to additional communications capacity. This current deficiency should not be exacerbated by taking potentially available channels and diverting their use from coast station operations. While MariTEL does not propose endangering life or property by converting channels that are currently used by public safety entities, if this spectrum is not being used to its full capacity in that manner, it should be available for public coast station licensees.

D. Coverage Requirements

MariTEL's comments proposed stringent coverage requirements. MMR agrees with MariTEL's approach that geographic area licensees be required to provide service to coastlines and navigable waterways within one year of licensing. The coverage requirements proposed, as well as the other restrictions suggested by MariTEL will allay MMR's concerns that the new regulations will eliminate the use of the VHF public coast station spectrum for maritime purposes.

^{16/} Conversely, the FCC has proposed the allocation of additional spectrum for public safety operations. *See Development of Operational, Technical, and Spectrum Requirements for Meeting Federal, State and Local Public Safety Agency Communication Requirements Through the Year 2010*, WT Docket No. 96-86, Notice of Proposed Rule Making, 11 FCC Rcd 12,460 (1996).

ITA/CICS, while supporting a stringent coverage requirement, suggests that land mobile stations be licensed on a secondary basis, and that these secondary stations become primary with the passage of time. MariTEL is strongly opposed to this proposal. As noted above, maritime licensees must be able to dictate the use of spectrum throughout their licensed service area. While MariTEL recognizes that maritime spectrum will not be required in all locations to meet the needs of the boating public and international proscriptions, the determination of where it will not be required to meet those needs should be the responsibility of the maritime licensee.

E. Use of Narrowband Channels

MariTEL's comments supported the FCC's proposal that geographic area and incumbent licensees be permitted to use the channels 12.5 kHz "offset" from their current licensed frequencies, in order to increase the channels available for their use. The only other existing coast station licensee addressing this issue, Cohen, agreed with MariTEL. Ross and the U.S. Coast Guard do not support the immediate use of all 12.5 kHz offsets by existing and future coast station licensees. However, as noted below, MariTEL believes that this position is based on incorrect assumptions and a lack of understanding of the needs of coast station licensees.

Ross argues that public coast station licensees do not require additional capacity at this time. Ross is simply incorrect. As MariTEL has stated before, its lack of spectrum has constrained it from competing with other CMRS providers. MMR is in a better position than

Ross to assess the impact that the availability of 12.5 kHz offsets would have on its service.^{17/}

MMR agrees that the Commission's approach to licensing public coast spectrum has restricted licensees from providing service to the public.^{18/}

Ross also argues that there is no equipment type accepted under Part 80 for the use of 12.5 kHz channels. The Commission often adopts regulations permitting the use of equipment for which there is not yet type acceptance.^{19/} MariTEL presumes that once the FCC permits the use of 12.5 kHz channelization for public coast station licensees, manufacturers will seek type acceptance for the use of this equipment.

Ross contends that 12.5 kHz channels should not be authorized because of potential interference with licensees of 25 kHz stations. This concern is unfounded. The use of the 12.5 kHz channel will be limited to the 25 kHz channel licensee in the same geographic area. Plainly, the licensee of the 25 kHz channel will not employ the 12.5 kHz channel in a manner that will cause interference to its own operations.

Ross also argues that use of the 12.5 kHz channels should not be permitted because there is no international or U.S. rules allowing their use. It is this proceeding in which the U.S. would permit the use of the 12.5 kHz channels which are otherwise contained within the 25 kHz channels now licensed by the FCC for public correspondence use..^{20/} While MariTEL

^{17/} Ross is concerned that the use of the offsets would be available to land mobile licensees. Under MariTEL's proposal, the geographic coast station licensee would determine the use of the spectrum, and therefore the offsets, within its service area.

^{18/} MMR comments at p. 9.

^{19/} See, e.g., *Replacement of Part 90 by Part 88 to Revise the Private Land Mobile Radio Services and Modify the Policies Governing Them*, PR Docket No. 92-235, Memorandum Opinion and Order, 11 FCC Rcd 17,676, ¶ 15 (1996).

^{20/} In this regard, MariTEL is opposed to NTIA acting as the frequency coordinator of the use of the 12.5 kHz channels now or in the future. These frequencies, because they are within the existing 25 kHz channels allocated for public correspondence use, are not available for Federal government use, and are assignable only by the FCC. To dictate otherwise would violate the FCC's Table of Allocations. 47 C.F.R. § 2.106 (1996).

understands that there are no international regulations governing the use of 12.5 kHz public correspondence channels, this international silence should not impede the ability of coast station licensees to be competitive CMRS providers. In other cases, the FCC has adopted rules permitted domestic licensing of a service for which there was not yet international standards.^{21/} Coast station licensees will still be required to offer service to international vessels, consistent with international requirements. Accordingly, licensees will take whatever technical measures are necessary to ensure that they can both meet those requirements and use the full capacity of their authorized bandwidth. To the extent that international regulations proscribe operations in the future that are contrary to the method by which licensees are employing the 12.5 kHz channels, those licensees will be expected to modify their systems accordingly.

The reason that both Ross and the U.S. Coast Guard object to the use of the 12.5 kHz offsets today by public correspondence licensees is the potential employment of these channels by an Automatic Identification System ("AIS"). Nevertheless, as MariTEL noted in its comments, the deployment of an AIS and the use of 12.5 kHz channels by public coast station licensees are not mutually exclusive. The international implementation of AIS on 12.5 kHz channels may not occur until 1999, at the earliest.^{22/} The adoption of consistent U.S. regulations would require still more time. If MariTEL and other public coast station licensees are required to wait that long to employ the additional capacity offered by 12.5 kHz offsets,

^{21/} In 1983, the Commission denied a Petition for Reconsideration of the Order establishing the initial rules for direct broadcast satellite services ("DBS"). The rules were adopted prior to an international conference, the purpose of which, was to adopt final international rules for the use of the 12 GHz band by DBS in Region 2. *In the Matter of Regulatory Policy Regarding the Direct Broadcast Satellite Service*, GN Docket No. 80-603, Memorandum Opinion and Order, 94 FCC 2d 741 (1983).

^{22/} U.S. Coast Guard comments at p. 5.

they will no longer be in business. It is critical that the FCC make those channels available to coast station operators now on a geographic area basis. Therefore, MariTEL suggests that coast station licensees be permitted to use these channels in the interim, and conform their operations to any changed regulations in the future.

If the FCC places the Coast Guard Petition, proposing an AIS, on public notice, MariTEL will address with greater specificity, the Coast Guard proposal. While MariTEL strongly supports the Coast Guard's efforts to provide additional safety services, the FCC cannot permit the Coast Guard or any other entity to continue to cannibalize the capacity, and therefore the commercial viability, of the public coast service. Other CMRS providers have not been required to surrender spectrum for public safety services. As noted above, public coast channels have already been diverted to other uses. Internationally, U.S. coast station operators are disadvantaged by this continued erosion in their ability to provide service to the public. Public coast station operators also provide valuable public safety services. Without the capacity provided by the use of all available channels, public coast station licensees will no longer be able to remain commercially viable, and the current public safety services will no longer exist. The Commission must not sacrifice the entire public coast service, including the public safety services provided, for AIS.

Moreover, MariTEL notes here that AIS is merely a proposal today. There is no certainty that AIS will ever be implemented, or if implemented, that it will require the use of two dedicated 12.5 kHz channels. In fact, MariTEL has proposed that it simply be a condition of a coast station's license to provide access to 12.5 kHz channels for AIS purposes on mutually agreeable terms and conditions. Therefore, the Commission should not delay the use of 12.5 kHz channels, immediately required by coast station licensees, in favor of AIS;

particularly when AIS may be provided in a way compatible with coast station licensees' use of the 12.5 kHz offset channels.

F. Safety Watch

MariTEL's comments suggested that public coast station licensees be required to retain the capacity to provide a safety watch in the event that the Coast Guard is unable to do so. The Coast Guard essentially agrees with MariTEL's position.^{23/} MariTEL continues to believe that coast station operators should be required to perform this valuable service as a condition of licensing. MMR believes that the FCC should eliminate the watch requirement.^{24/} MMR's position is fundamentally inconsistent with its characterization of the public coast service. It cannot, on the one hand, characterize the public correspondence service as "unique," integrating among others, distress and safety communications^{25/}, and on the other hand disavow the requirement to provide those distress and safety services. In order to preserve the unique character of the public coast service, licensees should be required to demonstrate that they are capable, at the Coast Guard's request, provide the required safety watch. MariTEL does not object to MMR's suggestion that if the Coast Guard requests that such a watch be maintained, it be provided on a mutually agreeable commercial arrangement.

^{23/} U.S. Coast Guard comments at p. 6.

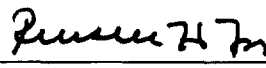
^{24/} MMR comments at 11.

^{25/} MMR comments at (i).

WHEREFORE, THE PREMISES CONSIDERED, WJG MariTEL Corporation respectfully submits the foregoing Reply Comments and asks the Commission to act in a manner consistent with the views expressed therein.

Respectfully Submitted,

WJG MariTEL Corporation

By: 
Russell H. Fox.

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October 6, 1997

CERTIFICATE OF SERVICE

I, Earl L. Proctor, a secretary in the law firm of Gardner, Carton & Douglas, hereby certify that a true and correct copy of the foregoing Reply Comments of WJG MariTEL Corporation was sent by overnight delivery, postage prepaid, this 6th day of October, 1997 to each of the following:

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